



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Denis Babin

Appl. No.: 10/700,521

Filed: November 5, 2003

For: **Tight Pitch Nozzle With Individual Valve Gate Control**

Confirmation No.: 5927

Art Unit: 1722

Examiner: *To Be Assigned*

Atty. Docket: 2107.0230001/TUM

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08a and PTO/SB/08b are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO/SB/08a and PTO/SB/08b based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).

4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- 5. The documents AA1, AD1, AF1, BE1 and BA2 were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report, document CA1, that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- 6. A concise explanation of the relevance of the non-English language documents BA1-BD1 and BF1 is provided by the English abstracts attached thereto.
- 7. Copies of the documents are submitted herewith.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

9. No copies of U.S. patents and patent application publications cited on the attached Form PTO/SB/08a and PTO/SB/08b are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08a and PTO/SB/08b, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Teresa U. Medler
Attorney for Applicant
Registration No. 44,933

Date: June 14, 2004

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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 **Sterne Kessler
Goldstein Fox**

ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbara
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugaisky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Heidi L. Kraus
Edward W. Yee
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Eldora Ellison Floyd
Thomas C. Fiala
Brian J. Del Buono
Virgil Lee Beaston
Kimberly N. Reddick
Theodore A. Wood

Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Uhlier
Rae Lynn Prengaman
Jane Shershenovich*
Lawrence J. Carroll*
George S. Bardmessner
Daniel A. Klein*
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
LuAnne M. DeSantis
John J. Figueira
Ann E. Summerfield
Tiera S. Coston*
Aric W. Ledford*

Michael D. Specht
Jessica L. Parezo
Timothy A. Doyle*
Cynthia M. Bouchez
Nicole D. Dretar*
Ted J. Ebersole
Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Mary B. Tung
Katrina Y. Pei Quach
Bryan L. Skelton
Robert A. Schwartzman

Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Eric D. Hayes
Michelle K. Holoubek
Robert H. DeSelms
Simon J. Elliott
Julie A. Heider
Mita Mukerjee
Scott M. Woodhouse
Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie
•Admitted only in Maryland
•Admitted only in Virginia
•Practice Limited to
Federal Agencies

June 14, 2004

WRITER'S DIRECT NUMBER:
(202) 772-8578

INTERNET ADDRESS:
TMEDLER@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1722

Re: U.S. Utility Patent Application
Application No. 10/700,521; Filed: November 5, 2003
For: **Tight Pitch Nozzle With Individual Valve Gate Control**
Inventor: Denis Babin
Our Ref: 2107.0230001/TUM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO/SB/08a (2 sheets) and Form PTO/SB/08b (1 sheet) listing **25** cited documents (**AA1-AN1, BA1-BF1, BA2 and CA1-CD1**);
3. A copy of the cited foreign documents and the non patent literature documents (**BA1-BF1, BA2 and CA1-CD1**);
4. Power of Attorney from Assignee;
5. Certificate Under 37 C.F.R. 3.73(b) with a copy of the Assignment attached; and
6. One (1) return postcard.

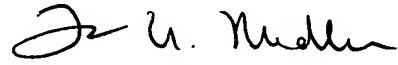
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
June 14, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Teresa U. Medler
Attorney for Applicant
Registration No. 44,933

TUM/BKB:kim
Enclosures

265227.1

O I P E JC3
JUN 14 2004

Substitute for Form 1449A/PTO

Approved for use through 07/31/2006. OMB 0651-0031
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ITEMS 4 TRADEMARKS

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	3	Attorney Docket Number	2107.0230001/TUM
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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if Known)			
	AA1	US-3,947,177	03-30-1976	Eckardt	
	AB1	US-4,279,582	07-21-1981	Osuna-Diaz	
	AC1	US-4,380,426	04-19-1983	Wiles	
	AD1	US-4,657,496	04-14-1987	Ozeki <i>et al.</i>	
	AE1	US-4,803,031	02-07-1989	Ochs <i>et al.</i>	
	AF1	US-5,238,378	08-24-1993	Gellert	
	AG1	US-5,368,470	11-29-1994	Manner	
	AH1	US-5,375,994	12-27-1994	Friderich <i>et al.</i>	
	AI1	US-5,423,672	06-13-1995	Gordon	
	AJ1	US-5,660,369	08-26-1997	Gauler	
	AK1	US-5,695,793	12-09-1997	Bauer	
	AL1	US-5,935,621	08-10-1999	Gellert <i>et al.</i>	
	AM1	US-6,162,044	12-19-2000	Babin	
	AN1	US-6,276,914 B1	08-21-2001	Sicilia	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ⁴ Kind Code ⁵ (in known)				
	BA1	DE 32 45 571 A1	06-20-1984	Manner		
	BB1	DE 37 33 363 A1	04-13-1989	Prinz		
	BC1	EP 0 936 048 A1	08-18-1999	Mitsubishi Materials Corp.		
	BD1	JP 2000-25072 A	01-25-2000	Mitsubishi Materials Corp.		
	BE1	JP 2000-033634 A	02-02-2000	Mitsubishi Materials Corp.		
	BF1	JP 2001-105458 A	04-17-2001	Yudo Ind. Co. Ltd.		

Examiner Signature		Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M PEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

2

10

3

Complete If Known

<i>Application Number</i>	10/700,521
<i>Filing Date</i>	November 5, 2003
<i>First Named Inventor</i>	Denis Babin
<i>Art Unit</i>	1722
<i>Examiner Name</i>	<i>To Be Assigned</i>
<i>Attorney Docket Number</i>	2107.0230001/TUM

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with M PEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO				Complete If Known	
				Application Number	10/700,521
				Filing Date	November 5, 2003
				First Named Inventor	Denis Babin
				Art Unit	1722
				Examiner Name	To Be Assigned
Sheet	3	of	3	Attorney Docket Number	2107.0230001/TUM

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published	
	CA1	International Search Report EP 03025448.6 dated March 1, 2004.	
	CB1	Patent Application entitled "Valve Gate Actuation Method and Apparatus", Baumann et al., date unknown.	
	CC1	HEITEC catalog, 2 pages, date unknown, published prior to November 22, 2002.	
	CD1	Husky catalog, 1 page, date unknown, published prior to November 22, 2002.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M PEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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